

REMARKS

Claims 1-13 are pending in this application. Claims 1-13 stand rejected. By this Amendment, claims 8, 9, 10, and 13 have been amended. The amendments made to the claims do not alter the scope of these claims, nor have these amendments been made to define over the prior art. Rather, the amendments to the claims have been made to improve the form thereof. In light of the amendments and remarks set forth below, Applicants respectfully submit that each of the pending claims is in immediate condition for allowance.

Claims 8, 10, and 13 stand objected to for various informalities. Applicants have corrected the typographical errors. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection.

Claim 10 stands rejected under 35 U.S.C. § 112, first paragraph. Applicants have amended claim 10 in accordance with the Examiner's comments. Therefore, Applicants respectfully request reconsideration and withdrawal of this rejection.

Claims 1, 2, 5, 7, 10, and 13 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,708,217 ("Colson"). Applicant respectfully requests reconsideration and withdrawal of this rejection.

To anticipate a claim under 35 U.S.C. § 102, the cited reference must disclose every element of the claim, as arranged in the claim, and in sufficient detail to enable one skilled in the art to make and use the anticipated subject matter. See, PPG Industries, Inc. v. Guardian Industries Corp., 75 F.3d 1558, 1566 (Fed. Cir. 1996); C.R. Bard, Inc. v. M3 Sys., Inc., 157 F.3d 1340, 1349 (Fed. Cir. 1998). A reference that does not expressly disclose all of the elements of a claimed invention cannot anticipate unless all of the undisclosed elements are inherently present in the reference. See, Continental Can Co. USA v. Monsanto Co., 942 F.2d 1264, 1268 (Fed. Cir. 1991).

Among the limitations of the independent claims is that content data is obtained from a desired content server via a network in an unknown information description language and a content type discriminator for discriminating an information description language. This feature is not disclosed in Colson.

According to the present specification, communication terminals such as a cellular telephone request content from a network. The content is delivered utilizing a mark-up language such as HTML or WML. However, when the cellular telephone requests this information, it does not know whether the information will be received as HTML or WML content. As such, the cellular telephone utilizes a discriminator to determine whether the information is HTML or WML and, once that is determined, the content is sent to the appropriate parser for parsing. The content is then displayed on a display section.

In contrast, in Colson, a web browser such as an HTML browser which processes HTML documents, generates a request for a web page using its URL and sends the request to a web server. The web server locates the requested content and returns it to the requesting browser. Upon receiving the requested document, the browser renders it for presentation to the user. The document text, when encoded in HTML format is processed by an HTML parser and then displayed. While Colson notes that text may be delivered in other formats such as extensible mark-up language (XML) in which case a corresponding parser may process the encoded document before displaying it, there is no disclosure of obtaining content in an unknown information description language and a content-type discriminator for discriminating an information description language of the obtained content data from a plurality of predetermined content types. As such, Applicants respectfully submit that claims 1, 2, 5, 7, 10, and 13 are allowable over Colson.

Claims 4, 6, 8, 9, and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Colson further in view of U.S. Patent Publication No. 2003/0212686 ("Chu-Carroll"). Applicants respectfully reconsideration and withdrawal of that rejection.

To establish a *prima facie* case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify a reference or combine references to arrive at the claimed subject matter. The prior art references must also teach or suggest all the limitations of the claim in question. See, M.P.E.P. § 706.02(j). A reference can only be used for what it clearly discloses or suggests. See, In re Hummer, 113 U.S.P.Q. 66 (C.C.P.A. 1957); In re Stencel, 4 U.S.P.Q.2d 1071, 1073 (Fed. Cir. 1987). Here, the references, whether taken individually or in combination, do not disclose or suggest the invention claimed by the Applicants.

Chu-Carroll was included to show additional limitations in Applicants' dependent claims. However, Chu-Carroll fails to cure the deficiency in Colson discussed above. As such, claims 4, 6, 8, 9, and 12 are allowable over the cited combination.

Claims 11 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Colson in view of U.S. Patent No. 5,838,927 ("Gillon"). As discussed above, Colson fails to disclose all of the limitations present in its independent claims. Gillon was not included to cure the deficiency in Colson discussed above but to show additional limitations which, even if it were to show, do not cure those deficiencies. As such, Applicants respectfully submit that claims 11 and 12 are allowable over the cited reference.

Applicants have responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

Dated: October 18, 2005

Respectfully submitted,

By

Ian R. Blum

Registration No.: 42,336

DICKSTEIN SHAPIRO MORIN & OSHINSKY
LLP

1177 Avenue of the Americas
New York, New York 10036-2714
(212) 835-1400
Attorney for Applicants

IRB/mgs